



Attorney Docket No. 4794-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Randy Seltzer et al. **Group Art Unit:** NYA
Serial No. : 10/791,119 **Examiner** : NYA.
Filing Date : March 1, 2004
For : A FLAVORED ARTIFICIAL SWEETENER

Mail Stop Express Abandonment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

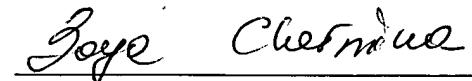
I hereby certify that the attached:

1. Petition for Express Abandonment 37 CFR 1.138(c);
2. Check for \$ 130.00 to cover Petition Fee; and
3. Return Receipt Postcard.

(Along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date indicated below with sufficient postage as first-class mail in an envelope addressed to the: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box, Alexandria, 22313-1450.

Respectfully submitted
GOTTLIEB, RACKMAN & REISMAN, P.C.

Dated: 05-27-2004



Zoya V. Chernina

GOTTLIEB, RACKMAN & REISMAN, P.C.
270 Madison Avenue
New York, N.Y. 10016-0601
Phone: (212) 684-3900
Facsimile: (212) 684-3999

IFW
fb**PETITION FOR EXPRESS
ABANDONMENT TO AVOID
PUBLICATION UNDER 37 CFR 1.138(c)**

Fax the petition directly to the
Pre-Grant Publication Division at (703) 305-8568
Or Mail the petition to:
Mail Stop Express Abandonment
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/791,119
Filing Date	March 1, 2004
First Named Inventor	Randy Seltzer
Art Unit	NYA
Examiner Name	NYA
Attorney Docket Number	4794-001

Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)

I hereby petition to expressly abandon the above-identified application to avoid publication.

Petition Fee – must be filed with petition to avoid delays in recognizing the petition.

- a. The Director is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to Deposit Account No. _____.
- b. Check in the amount of \$ 130.00 is enclosed.
- c. Payment by credit card (Form PTO-2038 is enclosed).

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

I am the: applicant.

assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

attorney or agent of record. Registration Number 29,876

Signature

05.27.2004

Date

Tiberiu Weisz, Esq.

Typed or printed name

(212) 684-3900

Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/02/2004 SDENB01 00000078 10791119
130.00 qp
01 FC:1460